

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BEST MEDICAL INTERNATIONAL, INC.,)	
Plaintiff,)	
)	
v.)	2:10-cv-1043
)	
ACCURAY, INC., a corporation,)	
)	
Defendant.)	

MEMORANDUM ORDER

The Court has determined that it will appoint a Special Master for the patent Claim Construction (“*Markman*”) hearing in this case, in light of the complex technical issues involved. The Special Master will be directed to prepare a Report and Recommendation regarding claim construction. The Court will be present at the Claim Construction hearing.

Counsel are encouraged to confer and jointly recommend one (1) to three (3) qualified candidates for appointment as Special Master with curriculum vitae attached. If agreement is not achievable, each side may separately recommend one (1) to three (3) qualified candidates. Submissions are due at or before the case management conference on May 12, 2011, if possible. Reasonable costs and expenses related to the services rendered by the Special Master shall be shared equally by the parties.

SO ORDERED this 28th day of April, 2011.

BY THE COURT:

s/Terrence F. McVerry
United States District Judge

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